

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

JOHN WAYNE ZIDAR, et al.,

Defendants.

CASE NO. C00-823C

ORDER

This matter comes before the Court on the Receiver's Motion to Correct Claim Filed by James E. Harris and Incorporate Harris' Claim into the Pro Rata Distribution (Dkt. No. 396). The Court has carefully considered the papers submitted by the Receiver and hereby finds and rules as follows:

The Receiver seeks an order directing him to incorporate James E. Harris' claim into the April 14, 2005 pro rata distribution. The Receiver informs the Court that James E. Harris' records were confused with records related to James M. Harris. As a result, the Receiver mistakenly credited James E. Harris for investment returns that Defendants sent to James M. Harris. Based on this error, the Court denied James E. Harris' claim in its March 15, 2005 Order.

The Court hereby directs the Receiver to include James E. Harris in the pro rata distribution. The Receiver shall make a payment to Harris based on the Verified Amount of \$1,294, and Harris shall

1 receive a 41.48 pro rata percentage of his loss.

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3 SO ORDERED this 22nd day of July, 2005.

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6 UNITED STATES DISTRICT JUDGE
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26 ORDER – 2